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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/641,820	08/18/2000	Timothy Robert Weinstock	1017-5616	7599

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EXAMINER

FISHER, MICHAEL J

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/641,820

Applicant(s)

WEINSTOCK ET AL.

Examiner

Michael J. Fisher

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-18,20-23 and 51-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6,8-18,20-23,52-71, and 78-82 is/are allowed.
- 6) ☒ Claim(s) 51 and 72-77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

The previous restriction requirement has been withdrawn as improper by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 51 and 72-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goheen as modified by Mittal.

Goheen discloses a ticketing and reservation system (title) that works over a network (col 5, lines 5-7), and can be used for automobile rentals (abstract, 16-10), the authorized user (1) makes a reservation (60), and the reservation is processed (fig 1A), the authorized purchaser could be a business organization (travel agency, 1 in fig 1A) or a person (passenger, 1 in fig 1A), the second business organization would be the rental agency (2 in fig 1A). Billing information would be available to the purchaser (4,8 in fig 1A). The computer system saves information on the agreement in a database (fig 1A) which information is accessible by purchaser (12 in fig 1B) and configured to generate reports relating to the reservation (12 in fig 1B), this would constitute communicating messages between the purchaser and any others having access to the program. There is further a second computer system (ATM terminals) that is linked to the first system

Art Unit: 3629

and that is related to the actual storage spots of the rental cars (they are said to be at the airport terminal, 12 in fig 1B, and therefore would be near the cars rented). Goheen further teaches that a human need not be involved in the final settlement of the agreement as the purchaser can receive the keys to the car at the ATM terminals (col 8, line 38-41). It would, of necessity, limit the functionality available to the service providers.

Goheen does not, however, teach using the internet, or having a computer instead of a person responding to the purchasers, or specifically discuss allowing the user to modify the agreement, or mention including vehicle repair facilities to be connected or using a WAN in the second computer system or using a GUI interface.

Using a WAN is very well known in the art, as is shown in Mittal (135) and therefore it would have been obvious to one of ordinary skill in the art to connect the ATMs to the central computer via a WAN to keep them connected to each other. It further would have been obvious to one of ordinary skill in the art to allow an automobile repair facility to access the system as they are known to need rental vehicles as so-called 'loaner cars' for customers whose repairs might take a long time would thus require a rental vehicle. Insurance agencies routinely allow rental charges for customers whose automobile will require extensive repairs and who would thus be inconvenienced by a long period without an automobile. It would have been obvious to one of ordinary skill in the art to allow the system to be used to modify the order as this is well known in the art. Customers frequently change their orders and indeed, many companies, such as airline agencies, have a fee schedule for such occurrences.

Art Unit: 3629

Mittal teaches a method and apparatus for interacting with on-line services. Mittal discloses a computer (136) connected through the Internet (col 4, lines 5-6), using a GUI interface (132). It would have been obvious to one of ordinary skill in the art to modify the system as disclosed by Goheen with the internet based, computer operated system as taught by Mittal to further automate the process of renting automobiles.

Allowable Subject Matter

Claims 1-6,8-18,20-23,52-71, and 78-82 are allowed.

The prior art does not teach the system as being bi-directional with an associated repair agency, such a modification would not be obvious while such a modification would be advantageous.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Fisher whose telephone number is 571-272-6804. The examiner can normally be reached on Mon.-Fri. 7:30am-5:00pm alt Fri. off.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Application/Control Number: 09/641,820

Page 5

Art Unit: 3629

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael J. Fisher



Patent Examiner
GAU 3629



MF
8/21/06